

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

TYRELL CHALUPA,)	CASE NO. 8:06CV8
)	
Plaintiffs,)	
)	
vs.)	ORDER OF DISMISSAL
)	
CLAY HEATH, and DALE CHANEY, in)	
their individual and official)	
capacities,)	
)	
Defendants.)	

This matter is before the Court on the Plaintiff's Motion to Dismiss. Because the Court finds that the motion complies with Fed. R. Civ. P. 41(a)(1)(i),

IT IS ORDERED:

- 1) The Motion to Dismiss (Filing No. 11) is granted;
- 2) The Complaint is dismissed without prejudice; and
- 3) The parties shall pay their own costs and attorney fees.

DATED this 7th day of March, 2006.

BY THE COURT

s/Laurie Smith Camp
United States District Judge